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FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JUN 20 2018

SEAN F. McAVOY, CLERK
DEPUTY
SPOKANE, WASHINGTON

9 UNITED STATES DISTRICT COURT
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 vs.

14 AMANDA GAYLE FERGUSON,

15 Defendant.

2:18-CR-105-SAB

INDICTMENT

Vio:

18 U.S.C. §§ 922(g)(1), 924(a)(2)
Felon in Possession of a Firearm
and Ammunition (Counts 1, 9)

18 U.S.C. §§ 922(g)(1), 924(a)(2)
Felon in Possession of
Ammunition (Count 2)

26 U.S.C. §§ 5845(a),(e), 5861(d),
5871
Possession of an Unregistered
Firearm (Counts 3, 10, 12)

26 U.S.C. §§ 5845(a),(e), 5861(i),
5871
Possession of a Firearm with No
Serial Number (Count 4)

21 U.S.C. § 841(a)(1), (b)(1)(C)
Distribution of Methamphetamine
(Count 5)

1 18 U.S.C. §§ 922(g)(1), 924(a)(2)
2 Felon in Possession of a Firearm
3 (Counts 6, 11)

4 18 U.S.C. §§ 922(j), 924(a)(2)
5 Possession of a Stolen Firearm
6 (Count 7)

7 21 U.S.C. § 841(a)(1),
8 (b)(1)(B)(viii)
9 Distribution of 5 Grams or More
10 of Actual (Pure) Methamphetamine
11 (Count 8)

12 18 U.S.C. § 924, 49 USC § 80303,
13 26 USC § 5872, 28 U.S.C. § 2461,
14 21 U.S.C. § 853
15 Forfeiture Allegations

16 The Grand Jury Charges:
17
18

19 COUNT 1

20 On or about June 23, 2016, in the Eastern District of Washington, the
21 Defendant, AMANDA GAYLE FERGUSON, having been convicted of a crime
22 punishable by imprisonment for a term exceeding one year, did knowingly possess
23 in and affecting commerce, a firearm and ammunition, to wit: a Jennings, Model J-
24 22 .22 caliber, semi-automatic handgun, bearing serial number 661504, and six
25 rounds of Federal brand .22 caliber ammunition, which firearm and ammunition
26 had theretofore been transported in interstate and foreign commerce, all in
27 violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).
28

COUNT 2

On or about August 1, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, ammunition, to wit: one Winchester-Western brand .410 shotgun cartridge, which ammunition had theretofore been transported in interstate and foreign commerce, all in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).

COUNT 3

On or about August 1, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, did knowingly possess a firearm, to wit: a weapon and device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, with no serial number, which firearm was not registered to her in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5845(a), (e), 5861(d), 5871.

COUNT 4

On or about August 1, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, did knowingly possess a firearm, to wit: a weapon and device capable of being concealed on the person from which a shot can be discharged through the energy of an explosive, not identified by a serial number as required by Chapter 53 of Title 26, in violation of 26 U.S.C. §§ 5845(a), (e), 5861(i), 5871.

COUNT 5

On or about September 19, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, knowingly and intentionally distributed methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(C).

COUNT 6

On or about October 6, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, to wit: a Smith & Wesson, model 642 Airweight .38 caliber revolver, bearing serial number CRH3558, which firearm had theretofore been transported in interstate and foreign commerce, all in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).

COUNT 7

On or about October 6, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, did knowingly receive, possess, conceal, and store a stolen firearm, to wit: a Smith & Wesson, model 642 Airweight .38 Special revolver, bearing serial number CRH3558, which firearm had theretofore been shipped and transported in interstate commerce, knowing and having reasonable cause to believe that the firearm was stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).

COUNT 8

On or about October 7, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, knowingly and intentionally distributed 5 grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii).

COUNT 9

On or about October 10, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm and ammunition, to wit: a Winchester brand, model 12, 12 gauge pump shotgun, bearing original serial number 1036167, and three rounds of 12 gauge shotgun ammunition, bearing manufacturer's markings respectively from Kleanbore Nitro Express, PMC, and Fiocchi, which firearm and ammunition had theretofore been transported in interstate and foreign commerce, all in violation of 18 U.S.C. §§ 922(g)(1), 924(a)(2).

COUNT 10

On or about October 10, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, did knowingly possess a firearm, to wit: a Winchester brand, model 12, 12 gauge pump shotgun, bearing original serial number 1036167, having a barrel of less than 18 inches in length, which firearm was not registered to her in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5845(a), 5861(d), 5871.

COUNT 11

On or about October 13, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, having been convicted of a crime punishable by imprisonment for a term exceeding one year, did knowingly possess in and affecting commerce, a firearm, to wit: a destructive device, further described as a Rheinmetall MK 13-0, BTV-1 EL diversionary grenade, which firearm had theretofore been transported in interstate and foreign commerce, all in violation of 18 U.S.C. §§ 921(a)(3),(4), 922(g)(1), 924(a)(2).

COUNT 12

On or about October 13, 2016, in the Eastern District of Washington, the Defendant, AMANDA GAYLE FERGUSON, did knowingly possess a firearm, to wit: a destructive device, further described as a Rheinmetall MK 13-0, BTV-1 EL diversionary grenade, which firearm was not registered to her in the National Firearms Registration and Transfer Record, in violation of 26 U.S.C. §§ 5845(a), (f), 5861(d), 5871.

NOTICE OF CRIMINAL FORFEITURE

The allegations contained in this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), or 49 USC § 80303, 26 U.S.C. § 5872 and 28 USC § 2461(c), and 21 U.S.C. § 853

Pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), upon conviction of an offense in violation of 18 U.S.C. § 924 (c)(1)(A) as set forth in Counts 1, 2, 6, 7, 9, 11 and 12, of this Indictment, Defendant AMANDA GAYLE FERGUSON shall

1 forfeit to the United States of America, any firearms and ammunition involved or
2 used in the commission of the offense.

3 Pursuant to 49 USC § 80303, 26 USC § 5872, and 28 U.S.C. § 2461(c),
4 upon conviction of an offense in violation of 26 U.S.C. §§ 5845(a), (f), 5861(d),
5 and 5871, as set forth in Counts 3, 4, and 10, of this Indictment, Defendant
6 AMANDA GAYLE FERGUSON, shall forfeit to the United States of America,
7 any firearms involved in the commission of the offense

8 Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21
9 U.S.C. § 841, as set forth in Counts 5 and 8, of this Indictment, the Defendant
10 AMANDA GAYLE FERGUSON, shall forfeit to the United States of America,
11 any property constituting, or derived from, any proceeds obtained, directly or
12 indirectly, as the result of such offense(s) and any property used or intended to be
13 used, in any manner or part, to commit or to facilitate the commission of the
14 offense(s).
15

16 If any of the property described in paragraph 4 above, as a result of any act
17 or omission of the Defendant(s):

- 18 a. cannot be located upon the exercise of due diligence;
- 19 b. has been transferred or sold to, or deposited with, a third party;
- 20 c. has been placed beyond the jurisdiction of the court;
- 21 d. has been substantially diminished in value; or
- 22 e. has been commingled with other property which cannot be divided
23 without difficulty,
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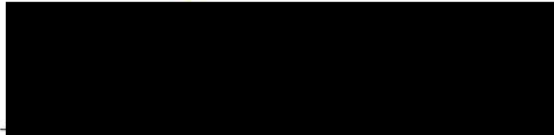
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1 the United States of America shall be entitled to forfeiture of substitute property
2 pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c).

3
4 DATED this 26 day of June 2018.

5
6 A TRUE BILL

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9 Foreperson

10 
11 Joseph H. Harrington
12 United States Attorney

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14 Timothy J. Ohms
15 Assistant United States Attorney
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